

Application Number: 10/511,807

Attorney Docket: NL021156

### REMARKS

An Office Action was mailed on August 27, 2008. Claims 1-7, 9, 12-14 and 16-17 are pending. New Claims 16-17 have been added. No new matter has been added.

Claims 13-14 stand rejected under 35 U.S.C. §102(e) as being anticipated by Baumagarte et al. (U.S. 2003/0003553). Claims 1-7, 9-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Baumagarte in view of Veldhuis (U.S. Pat. No. 5,621,855). Claim 12 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Baumagarte and Veldhuis in view of Davis et al. (WO 99/04498).

Independent claims 1, 9 and 12-14 have each been amended to recite the limitation of “generating a monaural signal comprising a combination of at least two input audio *channels wherein the at least two input audio channels are time/frequency sliced such that they can be analyzed as a function of time...*”

Applicant respectfully submits that the cited Baumagarte and Veldhuis references, alone or in combination, fail to teach or suggest “generating a monaural signal comprising a combination of at least two input audio *channels wherein the at least two input audio channels are time/frequency sliced such that they can be analyzed as a function of time.*” as claimed in amended claims 1, 9, 12 and 13-14.

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Since Baumagarte and Veldhuris, alone or in combination, does not teach all of the limitations of independent claims 1, 9, 12 and 1, 9, 12 and 13-14, it cannot render the present invention unpatentable. For at least the above cited reasons, Applicant submits that Claims 1, 9, 12 and 13-14 are patentable over Baumagarte.

With regard to claims 2-7, 10 and 16-17 these claims depend from the independent claim discussed above, which have been shown to be allowable in view of the cited reference. Accordingly, each of claims 2-7, 10 and 16-17 are also allowable by virtue of its dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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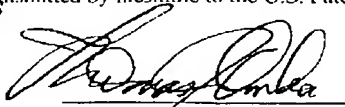
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